



NEW APPLICATION



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September 5, 2012
Via Overnight Delivery

ARIZONA CORPORATION COMMISSION
DOCKET CONTROL

Docket Control Center
Utilities Division
Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007

RE: Short Form for Pay Telephone Providers and COPT Tariff No. 1 for WiMacTel, Inc.

T-20766A-12-0396

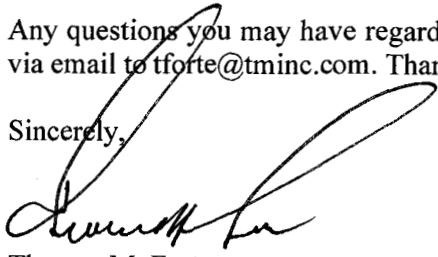
Dear Sir or Madam:

Enclosed for filing please find the original and thirteen (13) copies of the Short Form for Pay Telephone Providers and COPT Tariff No. 1 submitted on behalf of WiMacTel, Inc.

Please acknowledge receipt of this filing by date-stamping the extra copy of this cover letter and returning it to me in the self-addressed, stamped envelope provided for that purpose.

Any questions you may have regarding this filing should be directed to my attention at 407-740-3001 or via email to tforte@tminc.com. Thank you for your assistance in this matter.

Sincerely,


Thomas M. Forte
Consultant to WiMacTel, Inc.

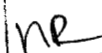
cc: Gary Joseph (Via Email) - WiMacTel
file: WiMacTel - Arizona - Payphone
tms: AZc1200

Enclosures
TF/mp

Arizona Corporation Commission

DOCKETED

SEP - 6 2012

DOCKETED BY	
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APPLICATION

SHORT FORM FOR PAY TELEPHONE PROVIDERS

Mail or deliver an Original and 13 copies of this application to:

Docket Control Center
Arizona Corporation Commission
1200 West Washington Street
Phoenix, Arizona 85007

- I. List the name, address, and telephone number of the person or entity (Applicant) that subscribes to the phone line from the local exchange company, indicate Business Name (if different than Applicant):

WiMacTel, Inc.

(Applicant's Name)

(Business Name if different than Applicant's Name)

2225 East Bayshore Rd., Suite 200

(Applicant's Address)

gjoseph@wimactel.com

(Applicant's Email Address)

Palo Alto, CA 94303

(Applicant's Address)

(800) 820-4680

(Applicant's Telephone)

- II. If you intend on having an attorney represent you in this application, list the attorney's name, address and telephone number:

Thomas M. Forte, Consultant

(Attorney's Name)

2600 Maitland Center Parkway, Suite 300

(Attorney's Address)

tforte@tminc.com

(Attorney's Email Address)

Maitland, FL 32751

(Attorney's Address)

(407) 740-3001

(Attorney's Telephone)

- III. What type of entity is the Applicant?

☐ SOLE PROPRIETORSHIP ☐ PARTNERSHIP ☐ LIMITED LIABILITY COMPANY

☒ CORPORATION: By checking this box, you certify that you have a current copy of your Articles of Incorporation on file with the Arizona Corporation Commission's – Corporations Division:

☐ Arizona Corporation ☒ Foreign Corporation

- IV. SELECT ONE THAT APPLIES:

☒ **GENERIC/STREAMLINED TARIFF:** By checking this box, the Applicant states it intends to provide public pay telephone service in the State of Arizona under the rates, terms, and conditions as set forth in the COPT Generic Tariff, and A.A.C. R14-2-901. et.seq., and hereby concurs in that Tariff. The Applicant understands that requests to provide service under conditions other than those set forth in the COPT Generic Tariff may be approved only by

specific order of the Arizona Corporation Commission pursuant to A.A.C. R14-2-901. et. seq.; or

- ☐ CUSTOMIZED TARIFF: By checking this box, the Applicant states it intends to provide pay telephone service in the State of Arizona under a Special (non-streamlined) Tariff, A.A.C. R14-2-901. et. seq., and submits with this application its proposed Special (non-streamlined) COPT Tariff for services to be offered and does not concur in the Generic Tariff; or
- ☐ By checking this box, the Applicant states that it is NOT PROVIDING PUBLIC PAY TELEPHONE SERVICE, and hereby states that it is not a public service corporation, and swears and affirms that it is not offering its pay telephone service to the public and its primary business is not providing public pay telephone service. NOTE: Applicant may be subject to fines or other penalties if it is operating as a Public Service Corporation without a Certificate of Convenience and Necessity.

V. NOTICING

- ☐ By checking this box the Applicant states that it has placed the prescribed notice of the application at each pay telephone location (See instruction sheet: "NOTICE"). Attach ONE copy of a list of the addresses where you provide pay telephone service; OR
- ☒ By checking this box the applicant indicates it does NOT have any COPTs at this time.

- VI. Attach one copy or sample of the customer information placard, which will be located on the pay telephone, that describes the services you offer and the instructions for operation. If you have checked the box to conform to the Generic Tariff, the placard must conform to: Para. III. items; C., D., J., K., and M.; plus Para. IV. C., items 1 through 7) of the Generic Tariff.


(Signature of Applicant and Title)

James MacKenzie, President and CEO
(Type or Print Your Name)

DO NOT WRITE IN THIS SPACE

STAFF RECOMMENDATIONS

☐

By checking this box, the Applicant is requesting a hearing because it objects to the Staff Recommendations or other reasons. The request for a hearing and any objections to these Recommendations must be filed within 20 days from the date of this report. If the request is not made within 20 days, the Commission may decide the matter without a hearing unless a hearing is requested by Staff or an Intervenor.

ARIZONA CORPORATION COMMISSION

NOTICE

**PUBLIC NOTICE OF APPLICATION FOR A
CERTIFICATE OF CONVENIENCE AND NECESSITY**

WiMacTel Inc., has filed with the Arizona Corporation Commission (":Commission") an application for a Certificate of Convenience and Necessity ("CC&N") to provide Customer Owned Pay Telephone Service in the State of Arizona.

WiMacTel, Inc. is required by the Commission to provide this service under the rates, charges, terms, and conditions established by the Commission.

The application is available for inspection during regular business hours at the offices of the Arizona Corporation Commission, 1200 West Washington Street, Phoenix, Arizona, and at:

WiMacTel, Inc.

(Name of Company)

2225 East Bayshore Rd., Suite 200

(Address of Company)

Palo Alto, CA 94303

(Address of the Company)

You may have the right to intervene in the proceeding, or you may write to the Commission or call and make a statement on your own behalf. If you have any questions about this application or have any objections to its approval, you may contact the Consumer Services Section of the Commission at 1200 West Washington Street, Phoenix, Arizona 85007 or call locally to (602) 542-4251 or in-state toll free at 1-800-222-7000.

WiMacTel, Inc.

Copy of Customer Information Placard

6 5/32"

2 27/32"

Location is:

CHANGE NOT PROVIDED. LISTEN FOR DIAL TONE. DIAL NUMBER. DEPOSIT COINS

Coin Calls

Within this Area Code Dial Number

Outside this Area Code (1+) Area Code + Number

Calling Card & Collect Calls

All Calls (0+) Area Code + Number

Operator Assistance (Person to Person, Third Party Billed, Rate Quotes)

Within this Area Code 0

Outside this Area Code 00

Directory Assistance

Local Area Code 411

Outside Area Code (1+) Area Code + 555-1212

Intralata, Interlata & Interstate Calling Card,
Collect and Operator Services provided by:

Wimactel Inc.

2225 E. Bayshore Road, Suite 200

Palo Alto, CA 94303

1-888-476-0881

For Emergency: Dial 911

Refunds/Repair Service - No Charge 611

Community Referral and Inform 211

Free Call to TRS/CRS 711

This location is bound to a long term contractual commitment. This station allows access to all Long Distance Carriers. Consult your carriers for dialing and rate information. Local or long distance calls for 101XXXX, calling cards or OPH may cost more than directly dialing the call. Service charges may apply to Calling Cards & Operator Assisted Calls. Direct complaints regarding operator services to: Federal Communications Commission, Consumer Information Bureau, Consumer Complaints - Telephone, Washington, DC 20554. All rates comply with the State and Federal Tariffs. Owned and Operated by: Wimactel Inc. 2225 E. Bayshore Road, Suite 200, Palo Alto, CA 94303. * 1-888-476-0881

TOPS88707A

88707A

6.125"



Local
Locales

50¢

15 minutes/minutos

Emergency Dial
Emergencia Marca

911

2.125"

Collect, Operator Assistance or Credit Card

1. Dial * 89
2. Follow Instructions

International

1. Insert \$1.00
2. Dial 011 + Country Code + Number

Cobrar, Ayuda del Operador o Tarjetas de Crédito

1. Marca * 89
2. Siga las Instrucciones

International

1. Deposita \$1.00
2. Marca 011 + Código del País + Número

TOPS88707B

88707B Upper

WiMacTel, Inc.

COPT Tariff No. 1

Concurrence Date: September 6, 2012

Effective Date:

**CUSTOMER OWNED PAY TELEPHONE (COPT)
GENERIC TARIFF**

I. DESCRIPTION OF CUSTOMER OWNED PAY TELEPHONE SERVICE

- A.** Customer Owned Pay Telephone (COPT) Service is public pay telephone service to end-users provided by entities other than the certificated local exchange telephone company. COPT service involves the resale of those local exchange and interexchange telecommunications services authorized for resale by the Arizona Corporation Commission (ACC) and provided through the facilities of public service corporations certificated to provide such services in the State of Arizona.
- B.** COPT service is provided by interconnection with local exchange carriers through approved local exchange company tariffs under which COPT providers are authorized to obtain access to the local and interexchange telecommunications network.
- C.** COPT service is subject to all restrictions imposed by the Arizona Corporation Commission on the intrastate transmission of telecommunications services.

Concurrence Date: September 6, 2012

Effective Date:

CUSTOMER OWNED PAY TELEPHONE (COPT), (CONT'D.)

II. SERVICES OFFERED

A. The following services may be provided to end-users under this tariff:

- 1. Local Message Service** - Provides callers with the ability to complete calls to other locations within the local (exchange) calling area.
- 2. Intrastate Message Toll Service** - Provides callers with the ability to complete calls to locations outside the local (exchange) calling area.
- 3. Local Directory Assistance** - Provides callers with telephone numbers or parties located within the local (exchange) calling area.
- 4. Intrastate Directory Assistance** - Provides callers with telephone numbers for parties located outside the local (exchange) calling area.
- 5. Operator Services**
 - a. Operator Assisted Station-to-Station Calls**
Provides for the completion of a call through the user of an operator with the caller paying for the call before it is completed.
 - b. Operator Assisted Person-to-Person Calls**
Provides for the completion of a call to a specified person through the use of an operator with the caller paying for the call before it is completed.
 - c. Operator Assisted Collect Calls**
Provides for the completion of a call through the user of an operator with the called party billed for the call.
 - d. Operator Assisted Third Number Billed Calls**
Provides for the completion of a call through the user of an operator with the call billed to a home or other telephone number.
 - e. Customer Dialed Calling Card and Credit Card Calls**
Provides for the completion of a call without the user of an operator with the call billed to the calling card or credit card account.

B. Services not described above may be offered only upon approval of the Arizona Corporation Commission under procedures established in A.R.S. Section 40-250.

Concurrence Date: September 6, 2012

Effective Date:

CUSTOMER OWNED PAY TELEPHONE (COPT), (CONT'D.)

III. REGULATIONS

- A.** COPT service is provided to all users on a non-discriminatory basis using Federal Communications Commission registered equipment, which has been installed and maintained in accordance with generally accepted telecommunications industry standards and applicable state and local codes.
- B.** All COPT instruments are hearing-aid compatible and accessible to the disabled in compliance with federal and state laws.
- C.** COPT instruments will be placed in well-lighted locations and will be maintained in good working order. The COPT provider will respond promptly to reports of equipment failure and other reasonable complaints. The COPT provider's name and telephone number of the COPT will be displayed prominently on each COPT instrument.
- D.** Instructions on how to make a call, how to report malfunctions, and how to obtain refunds, will be posted at every COPT location in those languages required by the Commission.
- E.** Access to emergency 911 service is provided free at all COPT locations, without the use of a coin and without time limitations. In those areas where 911 service is not available, access to the local emergency service providers will be provided free of charge and without time limitations.
- F.** Coin-activated instruments will accept nickels, dimes, and quarters. Coins will be returned for uncompleted calls.
- G.** Access to the end-user's preferred toll carriers will not be denied.
- H.** Surcharges by premises owners for intrastate calls and/or operator services are prohibited unless specifically authorized by the Arizona Corporation Commission.
- I.** Operator Services are provided by ACC certified operator services companies at Commission approved rates and charges. However, these services may be provided through the use of capabilities embedded in the COPT (store and forward pay telephones). Specific regulations applicable to COPT provided operator service are contained in Section IV, below.

Concurrence Date: September 6, 2012

Effective Date:

CUSTOMER OWNED PAY TELEPHONE (COPT), (CONT'D.)

III. REGULATIONS, (Cont'd.)

- J.** Service limitations (e.g., local calling only, outgoing calls only) will be clearly posted at each COPT location. If service is limited to local calling, access to local operators will be provided.
- K.** Access to Local Directory Assistance may be provided free of charge and without the use of a coin. Charges for Directory Assistance will be clearly posted at each COPT location.
- L.** 1-800, 10XXX-0+ and 950 access will be provided at no charge to the calling party.
- M.** Time limits on local calls without additional coins will not be less than three (3) minutes. Time limitations will be clearly posted.
- N.** Service not in conformance with these regulations, or in violation of other rules and conditions of certification, may be terminated by Order of the A.C.C. The Commission reserves the right to enforce such Orders by denial of those services that COPT's are authorized to use to obtain access to the local and interexchange networks.

Concurrence Date: September 6, 2012

Effective Date:

CUSTOMER OWNED PAY TELEPHONE (COPT), (CONT'D.)

IV. REGULATIONS APPLICABLE TO COPT-PROVIDED OPERATOR SERVICES:

- A. The COPT operator service provider will identify itself at the outpulse of the terminating number which informs the end-user that the COPT provider's rates, operator service charges and surcharges apply to the call. This message will be provided before the end-user incurs any charge for the call, including a usage rate, operator service charge and surcharge.
- B. The COPT operator service provider will disclose immediately to the customer, upon request and at no charge to the caller, any of the following information:
 - 1. A quotation of rates, operator service charges and location-specific surcharges;
 - 2. The methods by which such rates, operator service charges and surcharges will be collected;
 - 3. The methods by which complaints concerning such rate, operator service charges and surcharges or collection practices will be resolved; and
 - 4. That the preferred carrier can be reached by access code or toll-free customer service number.
- C. The COPT operator service provider will post all of the following information, on or near the COPT, in plain view of the end-user:
 - 1. The name, address, and toll free telephone number of the COPT provider;
 - 2. A written disclosure that the rates, operator service charges and location specific surcharges of the COPT operator service provider apply for all operator-assisted calls;
 - 3. A statement that interLATA calls made with calling cards, including IXC cards, may be carried by the COPT service provider;
 - 4. Dialing instructions;
 - 5. A toll-free telephone number for billing inquiries;
 - 6. A description of complaint procedures; and
 - 7. That end-users have a right to obtain access to the interexchange carrier of their choice.

Concurrence Date: September 6, 2012

Effective Date:

CUSTOMER OWNED PAY TELEPHONE (COPT), (CONT'D.)

IV. REGULATIONS APPLICABLE TO COPT-PROVIDED OPERATOR SERVICES, (Cont'd.)

- D.** The COPT operator service provider will not require or participate in blocking any end-user's access to a preferred carrier.
- E.** COPT providers using store and forward technology shall route all zero-minus calls immediately to the originating LEC.
- F.** Billing and Collection Requirements
 - 1.** The COPT will bill monthly for operator services rendered.
 - 2.** Bills issued for the intrastate interLATA operator service provided by the COPT provider will include the minimum information required by A.A.C. R14-2-508(B), and identify the COPT service provider, to the extent the LEC has the capability to do so. In the absence of that capability, the identification of the billing agent or clearinghouse and its toll-free customer service telephone number are required.
 - 3.** The LEC will not be required to process any billing for any intraLATA calls carried by the COPT provider, whether intentional or incidental, where the required compensation has not been paid to the LEC.
 - 4.** Billing for COPT-provided operator services will comply with all of the following billing procedures:
 - a.** The billing date will be printed on the bill and shall be the date the bill was issued;
 - b.** The COPT provider will provide a full refund of any charge levied for an uncompleted call;
 - c.** COPT providers or their billing agents will not bill for calls which occur more than 60 days prior to the billing date; and
 - d.** COPT providers or their billing agents will not bill for any intraLATA call carried by the COPT provider, whether intentional or incidental, where the required compensation has not been paid to the LEC.

Concurrence Date: September 6, 2012

Effective Date:

CUSTOMER OWNED PAY TELEPHONE (COPT), (CONT'D.)

V. RATES AND CHARGES

A. COPT service will be provided at the following maximum rates and charges.

- 1. Local Message Service (3 minutes minimum time)**
Rates for local message service may not exceed the rate approved by the A.C.C. for the serving local exchange carrier's public telephones.
- 2. Intrastate IntraLATA Message Toll Service**
Rates for intrastate intraLATA message toll service may not exceed the day rates set forth in the certified local exchange carrier's tariff.
- 3. Intrastate InterLATA Message Toll Service**
Rates for intrastate interLATA message toll service may not exceed the day rates set forth in the tariffs of the certificated intrastate interLATA carrier whose facilities are used to carry the call.

Charges may be rounded to the nearest nickel for coin sent-paid calls.
- 4. Local Directory Assistance**
Charges for local directory assistance may not exceed the rates set forth in the certificated local exchange carrier's tariff.
- 5. Intrastate Long Distance Directory Assistance**
Charges for intrastate long distance directory assistance may not exceed the rates for such service set forth in the tariffs for the certificated carrier whose facilities are used to provide intrastate interexchange directory assistance.

Concurrence Date: September 6, 2012

Effective Date:

CUSTOMER OWNED PAY TELEPHONE (COPT), (CONT'D.)

V. RATES AND CHARGES, (Cont'd.)

6. Operator Handled Calls

- a.** Charges for Operator assisted calls may not exceed the rates and charges authorized for the A.C.C. certified Operator Services provider that provides operator services to the COPT:
 - b.** In those instances where operator services are provided through the use of capabilities embedded in the COPT:

 - (1)** charges for intrastate intraLATA operator assisted, calling card and credit card calls may not exceed the rates for operator service set forth in the certificated local exchange carrier's tariff.
 - (2)** charges for intrastate interLATA operator assisted, calling card and credit card calls may not exceed the rates for operator service set forth in the tariffs for the certificated carrier whose facilities are used to provide intrastate interexchange service.
- B.** Rates for COPT service may be discounted below these maximums at the discretion of the COPT service provider.
- C.** Rates for services not included in this tariff are contained in other approved tariffs of the Company on file with the ACC.